

**REMARKS****Summary of the Office Action**

In the Office Action claims 1-2 and 4-5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,125,091 to Kasuga.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasuga in view of U.S. Patent No. 5,619,521 to Tanaka.

Claims 6-7 are allowed.

**Summary of the Response to the Office Action**

Applicants have canceled independent claims 1 and 4 without prejudice or disclaimer. Applicants have amended claims 2, 3 and 5 to change their dependencies in light of the cancellation of independent claims 1 and 4. Accordingly, claims 2-3, and 5-7 are currently pending for consideration.

**All Remaining Claims Define Allowable Subject Matter**

Claims 1-2 and 4-5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kasuga. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasuga in view of Tanaka. Applicants have canceled independent claims 1 and 4 without prejudice or disclaimer, rendering the rejections of those claims moot. Moreover, Applicants have amended dependent claims 2, 3 and 5 to change their dependencies in light of the cancellation of independent claims 1 and 4. In particular, dependent claims 2 and 3 have been amended to depend from independent claim 6, which has been indicated as being allowed. Similarly,

dependent claim 5 has been amended to depend from independent claim 7, which has also been indicated as being allowed. Accordingly, Applicants respectfully submit that dependent claims 2, 3 and 5 are also in condition for allowance for at least the same reasons as their respective independent claim 6 or 7. With no other issues remaining in this application, Applicants respectfully request withdrawal of the outstanding rejections and allowance of the pending claims 2, 3, and 5-7.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully request the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account

50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**

**EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: September 15, 2004

By:



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